## **SPECIAL MEETING**

## **BAY COUNTY BOARD OF COMMISSIONERS**

## AGENDA

## **TUESDAY, JANUARY 18, 2022**

## 4:30 P.M.

(Or immediately following the Personnel/Human Services Committee Meeting)

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

	ı	CAL	CALL TO ORDER (CHAIRMAN HEREK)								
	II	ROL	ROLL CALL								
	Ш	INV	INVOCATION								
	IV	PLEI	PLEDGE OF ALLEGIANCE								
	V	CITI	ZEN II	NPUT							
	VI	ITEN	1S FOI	RCONSIDERATION							
1- 3		A.	Res. N	o. 2022-13 - Bay Future - ARPA Funding							
4- 7		B.	B. Res. No. 2022-14 - Bay Area Community Foundation - ARPA Funding								
8-9		C.	C. Res. No. 2022-15 - Correction to Drain Assessment - Mill Pond Drain (Drain O								
10-11		D.	City of Bay City - Notification of Application for Obsolete Property Rehability Certificate - 1108 Water Street, LLC - \$4,781,269 (Receive)								
		E.	Resolu Meetin	tions forwarded from the 1/18/2022 Personnel/Human Services Committee							
12			1.	No. 2022-16 - JustFOIA Software and License Agreement (Corporation Counsel)							
13			2.	No. 2022-17 - Grant Applications up to \$10,000 for Freezer and Warmer (Department on Aging)							
14			3.	No. 2022-18 - Vacancies: 911 Central Dispatch; Finance Department; Sheriff Marine Patrol (Personnel)							
15-16			4.	No. 2022-19 - Reauthorization of Health Department Reorganization							

(Personnel/Health Department)

17

5. No. 2022-20 - Pinconning Police Department Network Access (Information Systems)

#### VII UNFINISHED BUSINESS

18-25

A. Food License Fees - Opinion on Legality of Blanket Waiver of Food Service Establishment License Fees in 2022 (Corporation Counsel)

VIII NEW BUSINESS

IX MISCELLANEOUS

X ANNOUNCEMENTS

XI CLOSED SESSION

XII RECESS/ADJOURNMENT

The County of Bay will provide necessary and reasonable auxiliary aids and services such as signers for the hearing impaired and audio tapes of printed materials to individuals with disabilities upon 10 days' notice to the County of Bay. Individuals with disabilities requiring auxiliary aids or services should contact the County of Bay by writing or calling:

Amber Davis-Johnson, ADA Coordinator Corporation Counsel 515 Center Avenue Fourth Floor, Bay County Building By City, MI 48708 (989)895-4131

Join Zoom Meeting https://us02web.zoom.us/j/81694266170

Meeting ID: 816 9426 6170

Passcode: 547697 One tap mobile

+13126266799,,81694266170#,,,,\*547697# US (Chicago) +19292056099,,81694266170#,,,,\*547697# US (New York)

515 CENTER AVENUE, SUITE 405, BAY CITY, MICHIGAN 48708-5125

(989) 895-4120 FAX (989) 895-4226

e-mail address: <u>bergerd@baycounty.net</u> www.baycounty-mi.gov



THOMAS M. HEREK CHAIRMAN 5<sup>TH</sup> DISTRICT

VAUGHN J. BEGICK VICE CHAIRMAN 3<sup>RD</sup> DISTRICT

KAYSEY L. RADTKE SERGEANT AT ARMS 6<sup>TH</sup> DISTRICT

MARIE FOX 1<sup>ST</sup> DISTRICT

ERNIE KRYGIER
2ND DISTRICT

KIM J. COONAN 4<sup>TH</sup> DISTRICT

JAYME A. JOHNSON 7<sup>TH</sup> DISTRICT

ROBERT J. REDMOND FINANCIAL ANALYST (989) 895-4125 redmondr@baycounty.net

DEANNE C. BERGER BOARD COORDINATOR (989) 895-4121 bergerd@baycounty.net To:

**Bay County Board of Commissioners** 

From:

Thomas M. Herek, Board Chair

Date:

January 12, 2022

Subject:

Bay Future Economic Development Request for ARPA Funding

Background:

Bay Future is the County-wide economic development organization for Bay County. The American Rescue Plan Act highlights and encourages the use of ARPA dollars to assist small business that were affected and impacted by the COVID-19 pandemic. Bay Future and its partners wish to administer the following programs:

• Small Business Grant Funding. Total Cost: \$1,050,000.

This program will support the small businesses and industries disproportionately impacted by COVID-19. Business would be able to apply for grant funding through Bay Future. Bay Future would market the program, work with the small business to collect applications, review, score those applications and finally administer/disperse grant funds that meet the ARPA Legislation guidelines. Reporting of said grant funding will be required by contract. Small business is the life blood of our community's economy. These businesses affected by COVID-19 need this critical support.

- o \$900,000 Small businesses including food establishments, retail, recreational facilities, among others
- o \$100,000 Entertainment and hospitality venues
- o \$50,000 Administrative costs

• Small Business Support. Total Cost: \$368,500

To administer this program, Bay Future will work with the Small Business Development Center to aid the startup and growth of businesses specific to Bay County. The SBDC consultant will offer critical tools, resources, guides, etc. to Bay County businesses in need. Assistance includes but is not limited to a comeback toolkit, consulting support, small business training, tech commercialization support, a 90 day refinement program and more.

• Talent Attraction & Retention. Total Cost: \$581,500

Bay County is in dire need of talent attraction and retention due to the decrease in population, population aging out of the workforce and more. Bay Future will work with their partners to create a portal of place making and workforce development to attract and retain workers modeled after Hello West Michigan as a one stop organization for talent recruitment, and information including branding, K-12 education, leisure activities, housing, local government and more. This program is designed to create a larger workforce for businesses to pull from by attracting employees and retaining our residents. This one time investment of this program will be built to become self-sustaining.

#### Financial Impact:

This will utilize Two Million Dollars of ARPA funding, which may be released in installments based on program administration; no impact to the general fund.

#### Recommendation:

Authorize the Board Chairman to sign all necessary documents with Bay Future, Inc. to administer these economic development programs as described above for a sum of \$2,000,000 upon review and approval by Corporation Counsel and the Finance Officer which will include reporting requirements, and adherence to ARPA guidance. Approve budget adjustments as necessary.

#### **JANUARY 18, 2022**

#### RESOLUTION

## **BAY COUNTY BOARD OF COMMISSIONERS (1/18/2022)**

WHEREAS,

MOVED BY\_\_\_\_\_

Bay Future is the County-wide economic development organization for Bay County. The American Rescue Plan Act highlights and encourages the use of ARPA dollars to assist small business that were affected and impacted by the COVID-19 pandemic. Bay Future and its partners wish to administer the following programs:

- · Small Business Grant Funding. Total Cost: \$1,050,000. This program will support the small businesses and industries disproportionately impacted by COVID-19. Business would be able to apply for grant funding through Bay Future. Bay Future would market the program, work with the small business to collect applications, review, score those applications and finally administer/disperse grant funds that meet the ARPA Legislation guidelines. Reporting of said grant funding will be required by contract. Small business is the life blood of our community's economy. These businesses affected by COVID-19 need this critical support.
- o \$900,000 Small businesses including food establishments, retail, recreational facilities, among others
- o \$100,000 Entertainment and hospitality venues

SUPPORTED BY\_

- o \$50,000 Administrative costs
- · Small Business Support. Total Cost: \$368,500 To administer this program, Bay Future will work with the Small Business Development Center to aid the startup and growth of businesses specific to Bay County. The SBDC consultant will offer critical tools, resources, guides, etc. to Bay County businesses in need. Assistance includes but is not limited to a comeback toolkit, consulting support, small business training, tech commercialization support, a 90 day refinement program and more.
- Talent Attraction & Retention. Total Cost: \$581,500 Bay County is in dire need of talent attraction and retention due to the decrease in population, population aging out of the workforce and more. Bay Future will work with their partners to create a portal of place making and workforce development to attract and retain workers modeled after Hello West Michigan as a one stop organization for talent recruitment, and information including branding, K-12 education, leisure activities, housing, local government and more. This program is designed to create a larger workforce for businesses to pull from by attracting employees and retaining our residents. This one time investment of this program will be built to become self-sustaining.

WHEREAS,	This will utilize two million dollars of ARPA funding, which may be released in installments based on program
	administration; there is no impact to the general fund; Therefore, Be It
RESOLVED	That the Bay County Board of Commissioners authorizes the Board Chairman to sign all necessary documents with
	Bay Future, Inc. to administer these economic development programs as described above for a sum of \$2,000,000
	upon review and approval by Corporation Counsel and the Finance Officer which will include reporting requirements,
	and adherence to ARPA guidance; Be It Finally
RESOLVED	That related budget adjustments, if required, are approved.
	THOMAS M. HEREK, CHAIR
	AND BOARD
ARPA Funds -	Bay Future

COMMISSIONER	Υ	N	E	COMMISSIONER	Υ	N	E	COMMISSIONER	Υ	N	E
MARIE FOX				KIM J. COONAN				JAYME A. JOHNSON	_		ļ
ERNIE KRYGIER			THOMAS M. HEREK	ļ					ļ	<u> </u>	
VAUGHN J. BEGICK		<u> </u>		KAYSEY L. RADTKE						<u> </u>	<u> </u>

VOTE ROLL CALL: YEAS VOICE:	S YEAS	NAYS EXCUSED NAYS EXCUSED			_ 7	
DISPOSITION: AL	DOPTED	DEFEATED		WITHDRAWN	للحصينة	,
	AMENDED	CORREC	TED	REFERRED NO ACTION TAKEN		



January 12, 2022

Bay County Commission Bay County 515 Center Avenue, Suite 405 Bay City, MI 48708

Dear Chairman Herek, Executive Barcia, Commissioners Fox, Krygier, Begick, Coonan, Radtke, and Johnson:

We are told that every cloud has a silver lining.

The American Rescue Plan Act represents a silver lining in what has been a long period of dark days brought on by the pandemic. The sense of optimism and hope behind this sentiment is how we feel about the financial resources that are flowing into local communities, the likes of which we have not seen before and likely will not see again. As County Commissioners, the challenges and opportunities before you are great.

As I sat at last night's Commission meeting and listened to the unsettling workforce and employment data presented by Michigan Works CEO Chris Rishko, Phil Eich's moving stories about sense of place, and Bay Future's plan to provide critical and needed support to area businesses, I was struck by the instrumental – **and often unsung** – role the nonprofit sector plays in making Bay County a thriving community. Nonprofits are building our future leaders, training our workforce, protecting our children, making sure families are fed, and creating the opportunities and amenities that make our community a great place to call home. They feed, heal, shelter, educate, inspire, enlighten, and nurture people of every age, gender, race, and socioeconomic status.

On behalf of the Bay Area Community Foundation's Board of Directors, we strongly encourage you to ensure the community's charitable nonprofit partners (501c3) are represented in plans for resource distribution as: (1) a recipient of operating/cash assistance and (2) through program or project investments that align with established interests of the Commission and the community. Nonprofits deserve a program specifically tailored to this industry. BACF is uniquely positioned to aid the Commission in this regard.

A key purpose of our organization is to understand, support, and develop our critical nonprofit infrastructure. For 40 years, we have been channeling resources to where needs and opportunities are greatest. These efforts include \$45 million in total grants, with annual grantmaking surpassing

\$2 million for the last four years. During 2020 and 2021, we earmarked more than 50% of our own discretionary dollars for operating support to nonprofits. We have a community-based review process backed by the systems and staff to carry out effective and strategic investments. It's what we do every day - with or without COVID.

Nonprofit organizations strengthen communities by providing the educational, health, and social services that citizens need and which government cannot fully provide. Partnerships between charitable nonprofits and government make sense. They allow for leveraging of resources, relationships, and strengths to better serve our community. Nonprofits maximize public benefits with their deep knowledge of community needs backed by their close relationships and high levels of trust with those they serve.

Not only do nonprofits provide vital services, they are a key part of the economy as an employer and provider/consumer of resources and products. During the pandemic, tens of millions more Americans than usual turned to charitable organizations for help – and nonprofits delivered. Our local nonprofits were no different.

Our community is stronger when government and nonprofits work together. When done right, funding decisions are not just about dollars and cents. They are about impact and contributing to the fabric, social safety net, economic vitality, and sense of place.

The Bay Area Community Foundation stands ready to assist in any way necessary for the good of the community. We look forward to sharing our thoughts on how this can be done.

Sincerely,

Ellen Charlebois

Chair

Karen Tighe

Vice Chair

Eden R. Charlesies Kan STife Breggy Lollsh.

Greg Grocholski

Treasurer

Andreas Teich Secretary

Rick Learman

Officer

Diane Fong

President & CEO

515 CENTER AVENUE, SUITE 405, BAY CITY, MICHIGAN 48708-5125

(989) 895-4120 FAX (989) 895-4226

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THOMAS M. HEREK CHAIRMAN 5<sup>TH</sup> DISTRICT

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DEANNE C. BERGER BOARD COORDINATOR (989) 895-4121 bergerd@baycounty.net To:

**Bay County Board of Commissioners** 

From:

Thomas M. Herek, Chair

Date:

January 12, 2022

Subject:

Bay Area Community Foundation - ARPA Funding

#### **BACKGROUND:**

Non-profit organizations strengthen our community by providing the educational, health, and social services that citizens need and which government cannot fully provide. Non-profits are also a key part of our community as employers and consumers of resources and products. Many non-profit organizations have suffered greatly during the course of the COVID pandemic. The American Rescue Plan Act ("ARPA") specifically allows distribution of ARPA dollars to non-profit entities that have been negatively impacted by the COVID pandemic and that continue to provide essential services to our Bay County residents. Bay County has received, and continues to receive, a high number of submissions from various nonprofit entities requesting distribution of the County's ARPA dollars. The Bay Area Community Foundation specializes in and has an established community based review process backed by systems and staff to carry out effective resource distribution to Bay County's nonprofits organizations. Bay County does not have the staff to effectively vet, oversee, and ensure ARPA compliance of any on-the ground grant application process, and it would be in the best interest of Bay County's citizens as well as its non-profits to have an established entity such as the Bay Area

Community Foundation determine the best use of Bay County's ARPA funds that the Board chooses to direct toward non-profit entities. This will ensure that funds are distributed where they are most needed, in a timely manner and in compliance with all ARPA rules and regulations.

#### FINANCIAL IMPACT:

This will utilize a \$500,000 lump sum distribution of ARPA funds and up to an additional \$25,000 in administrative costs of ARPA funding; no impact to general fund.

#### RECOMMENDATION:

That the Board approve a resolution authorizing the Board Chair to sign an Agreement and all other necessary documents with the Bay Area Community Foundation awarding the sum of \$500,000 for distribution to appropriate nonprofits and up to an additional \$25,000 in administrative costs, following review and approval by Corporation Counsel and the County's Finance Officer. Said written Agreement shall include provisions that any distribution of the \$500,000 by the Community Foundation is made pursuant to a community-based review process, which must be fully compliant with all ARPA rules, regulations and guidelines. It is further recommended that the Board approve all necessary budget adjustments.

## **JANUARY 18, 2022**

#### RESOLUTION

BY: WHEREAS,	BAY COUNTY BOARD OF COMMISSIONERS (1/18/2022) Non-profit organizations strengthen our community by providing the educational, health, and social services that citizens need and which government cannot fully provide; and
WHEREAS,	Non-profits are also a key part of our community as employers and consumers of resources and products. Many non-profit organizations have suffered greatly during the course of the COVID pandemic; and
WHEREAS,	The American Rescue Plan Act ("ARPA") specifically allows distribution of ARPA dollars to non-profit entities that have been negatively impacted by the COVID pandemic and that continue to provide essential services to our Bay County residents; and
WHEREAS,	Bay County has received, and continues to receive, a high number of submissions from various nonprofit entities requesting distribution of the County's ARPA dollars; and
WHEREAS,	The Bay Area Community Foundation specializes in and has an established community based review process backed by systems and staff to carry out effective resource distribution to Bay County's nonprofits organizations; and
WHEREAS,	Bay County does not have the staff to effectively vet, oversee, and ensure ARPA compliance of any on-the ground grant application process, and it would be in the best interest of Bay County's citizens as well as its non-profits to have an established entity such as the Bay Area Community Foundation determine the best use of Bay County's ARPA funds that the Board chooses to direct toward non-profit entities. This will ensure that funds are distributed where they are most needed, in a timely manner and in compliance with all ARPA rules and regulations; and
WHEREAS,	This will utilize a \$500,000 lump sum distribution of ARPA funds and up to an additional \$25,000 in administrative costs of ARPA funding; there is no impact to general fund; Therefore, Be It
RESOLVED	That the Bay County Board of Commissioners authorizes the Board Chair to sign an Agreement and all other necessary documents with the Bay Area Community Foundation awarding the sum of \$500,000 for distribution to appropriate nonprofits and up to an additional \$25,000 in administrative costs, following review and approval by Corporation Counsel and the County's Finance Officer; Be It Further
RESOLVED	That said written Agreement shall include provisions that any distribution of the \$500,000 by the Community Foundation is made pursuant to a community-based review process, which must be fully compliant with all ARPA rules, regulations and guidelines; Be It Further
RESOLVED	That related budget adjustments, if required, are approved. THOMAS M. HEREK, CHAIR AND BOARD
	D. A. C.

ARPA FUNDS - Bay Area Community Foundation

COMMISSIONER	Υ	N	Е	COMMISSIONER	Υ	N	E	COMMISSIONER	Υ	N	E
MARIE FOX				KIM J. COONAN				JAYME A. JOHNSON			
ERNIE KRYGIER				THOMAS M. HEREK		<u> </u>					L
VAUGHN J. BEGICK				KAYSEY L. RADTKE							L

DISPOSITION: ADOPTED\_\_\_ DEFEATED \_\_\_\_\_\_ WITHDRAWN\_\_\_\_ AMENDED CORRECTED REFERRED\_\_\_\_\_ NO ACTION TAKEN\_\_\_\_\_

## **BAY COUNTY DRAIN COMMISSIONER**

# MICHAEL RIVARD rivardm@baycounty.net

515 CENTER AVENUE, SUITE 601 BAY CITY, MICHIGAN 48708-5127 drainoffice@baycounty.net

January 13, 2022

PHONE (989) 895-4290 FAX (989) 895-4292 TDD (989) 895-4049 (HEARING IMPAIRED)

Tom Herek, Chairman Bay county Board of Commissioners 515 Center Avenue Bay City MI 48708

Dear Chairman Herek:

We have recently been made aware of an assessment issue which will require a board resolution to correct. The assessment was made to parcel 09-100-024-300-270-00 in the amount of \$32.60 for the Mill Pond Drain in Monitor Township. The parcel belongs to MDOT and is exempt from special assessments; therefore the assessment needs to be removed from the assessment roll that was previously approved by the board.

The Michigan Drain Code, Section 280.273 of Act 40 of 1956 as amended, states any such error is to be reported to the County Board of Commissioners and request the Board order the same corrected.

Please consider this my formal request to place this item on the Board's agenda to correct the assessment error.

Any questions you may have, please do not hesitate to contact me.

Sincerely,

Michael Rivard

Bay County Drain Commissioner

Cc: Shawna Walraven, Treasurer Deane Berger, Board Coordinator Sue Pike, Monitor Treasurer

## **JANUARY 18, 2022**

## **RESOLUTION**

BY: WHEREAS,	BAY COUNTY BOARD OF COMMISSIONERS (1/18/2022)  The Drain Office was recently been made aware of an assessment issue which
Williams,	requires a board resolution to correct; and
WHEREAS,	The assessment was made to parcel 09-100-024-300-270-00 in the amount of \$32.60 for the Mill Pond Drain in Monitor Township; and
WHEREAS,	The parcel belongs to MDOT and is exempt from special assessments and it is necessary to remove the assessment from the assessment role that was previously approved by the Board; and
WHEREAS,	The Michigan Drain Code, Section 280.273 of Act 40 of 1956 as amended, states any such error is to be reported to the County Board of Commissioners and request the Board order the same corrected; Therefore, Be It
RESOLVED	That the Bay County Board of Commissioners, by this resolution, corrects the errors to parcel 09-100-024-300-270-00 in the amount of \$32.60 for the Mill Pond Drain in Monitor Township.

## THOMAS M. HEREK, CHAIR AND BOARD

## Drain Office - Correction to Assessments - Mill Pond Drain

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	KIM J. COONAN		***************************************		JAYME A. JOHNSON	
	THOMAS M. HER	REK				
VAUGHN J. BEGICK		KE				
-			THOMAS M. HEREK  KAYSEY L. RADTKE			



January 10, 2022

Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

## RE: Application for Obsolete Property Rehabilitation Certificate

On January 7, 2022, Jon Carlson, on behalf of 1108 Water Street, LLC, submitted an application to establish an application for an Obsolete Property Rehabilitation Exemption Certificate for 1100, 1108, & 1120 N. Water Street, Bay City, MI, filed under State of Michigan P.A. 146 of 2000.

In accordance with the Act, you are hereby notified that the certificate was filed for rehabilitation in the estimated amount of \$4,781,269.

A response is requested by Friday, February 4, 2022. A public hearing on the district and certificate will be held by the City Commission at their February 7, 2022, meeting. The meeting will be held at 6:30 PM at City Hall, 301 Washington Avenue.

CITY OF BAY CITY

Tema J. Lucero City Clerk

-10-

## **Application for Obsolete Property Rehabilitation Exemption Certificate**

Issued under authority of Public Act 146 of 2000, as amended.

This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) See State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWN	ER of the facility)		******						
1108 Water Street, LLC									
Company Mailing Address (Number and Street, P.O. Box, City, State, ZIP Code)									
3075 Charlevoix Drive SE #100, Grand Rapids, MI 49546									
Location of obsolete facility (Number and Street, City, State, ZIP Code)									
1100, 1108,1120 N. Water Street									
City, Township, Village (indicate which)		County							
Bay City		Bay							
Date of Commencement of Rehabilitation (mm/dd/yyyy)	Planned date of Completion	of Rehabilitation (mm/dd/yyyy)	School Distri	ct where facility is located (include					
04/01/2022	05/01/2023		Bay City 09010						
Estimated Cost of Rehabilitation Number of years exemption requested									
\$4,781,269.00		12							
Attach legal description of obsolete property on separate	sheet.	<u> </u>							
Expected Project Outcomes (Check all that apply)									
x Increase commercial activity	Retain empl	ovment	X F	Revitalize urban areas					
		•	L	ncrease number of residents					
Create employment	Prevent a lo	ss of employment		n the community in which the					
				acility is situated					
Indicate the number of jobs to be retained or created	as a result of rehabilitating the	facility, including expected con	struction empl	oyment100					
Each year the State Transport may approve	Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years.								
Check the box at left if you wish to be consider		tile school operating and state	GOUCARON LAX	es to a pation hat to exceed six years.					
APPLICANT CERTIFICATION									
The undersigned, authorized officer of the compa									
herein or in the attachments hereto is false in any ing submitted. Further, the undersigned is aware to									
2000 may be in leopardy.	mat, if any statement or inf	omiation provided is unitide,	the exemple	ion provided by Fabric Act 146 of					
The applicant certifies that this application rel									
defined by Public Act 146 of 2000, as amended	f, and that the rehabilitat	ion of the facility would no	ot be undert	aken without the applicant's					
receipt of the exemption certificate.		hii- A-+ 446 -f 0000		Mishless Campiled Laura and to					
It is further certified that the undersigned is familia the best of his/her knowledge and belief, (s)he ha	ar with the provisions of Fu is complied or will be able t	o comply with all of the regu	irements the	ereof which are prerequisite to the					
approval of the application by the local unit of gov	ernment and the issuance	of an Obsolete Property Re	habilitation I	Exemption Certificate by the State					
Tax Commission.									
Name of Company Officer (No authorized agents)		Telephone Number		ax Number					
Jon A. Carlson		7346040977		7346611286					
Mailing Address		E-mail Address							
3075 Charlevolx Dr SE #100, Grand R	apids, MI 49546	carlson@3missionpa	artners.co	m					
Signature of Company Officer (no authorized agents)		Title							
I have	- T	Manager							
LOCAL GOVERNMENT UNIT CLERK CER	RTIFICATION								
The Clerk must also complete Parts 1, 2 and 4 on page 2	<ol><li>Part 3 is to be completed by</li></ol>	the Assessor.							
Signature JULIAN AND		Date Application Received	11-12	3 1					
1 STRUUU			4110	to-					
	FOR STATE TAX C	OMMISSION USE	(2.6)、海南、						
Application Number	angasyan spatiatan Son	Date Received	400 (100 (1904) (1904) (1	_UCI Code					
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## **JANUARY 18, 2022**

#### RESOLUTION

BY:	PERSONI	NEL/	HUN	AN SERVICES COM	MIT	ΓEE (	1/1	8/2022)				
WHEREAS,	responsib	Beginning in January, 2020, Bay County Department of Corporation Counsel assumed all FOIA responsibilities which includes reviewing, coordinating and responding to all of Bay County's Freedom of Information Act (FOIA) requests; and										
WHEREAS,	Since taki request p 40 differe	Since taking over FOIA, the Department of Corporation Counsel has simplified and streamlined the records request process for both County departments and staff as well as the general public. However, with over 40 different County departments, the process is still very labor-intensive and cumbersome as FOIA requests are increasing both in volume and complexity; and										
WHEREAS,				ns with the Information			Divis	ion, it was recomme	nded	the	Dep	partment of
ŕ				l purchase dedicated red with the strict FOIA laws			est m	nanagement software	to ins	ure	that	Bay County
WHEREAS,	After a review of various FOIA software vendors, it was determined that the JustFOIA software is the best option financially as well the most user-friendly option. The JustFOIA software solution assists with managing every step of the records request process from intake to delivery, saving time through automating repetitive tasks, sending reminders, and communicating with requesters and county-wide departmental staff. The software also contains an integrated redaction feature, which assists with safely securing sensitive data exempt under the FOIA; and											
WHEREAS,												
WHEREAS,	The annual cost for a software license with 50 user roles is \$8,437.50 and all funds are allocated in the 2022 Information Systems Division software budget with no additional funds required. The projected total implementation cost is not to exceed \$10,000.00; Therefore, Be It											
RESOLVED	That the	Bay (	Coun	ty Board of Commission h JustFOIA for a dedicat	ners a	iutho	rizes	entering into an agr				
RESOLVED	That the	Chair	man	of the Board is authoriz	ed to	sign	any	and all necessary doc				
RESOLVED	•			t adjustments, if require	d, ar	е арр	rove					
				JAYME A. JOH			AIR					
Corporation Co	unsel - Just	FOIA		AND CO	IVIIVII	ITEE						
MOVED BY												
SUPPORTED BY_			_									
COMMISSIONE	R	Y	E	COMMISSIONER	Υ	N	E	COMMISSIONER	γ	N	E	
MARIE FOX				KIM J. COONAN				JAYME A. JOHNSON				
ERNIE KRYGIER	l			THOMAS M. HEREK					<u> </u>			
VAUGHN J. BEG	<b>БІСК</b>			KAYSEY L. RADTKE								
VOTE												
ROLL CALL: YEAS VOICE:				EXCUSED EXCUSED								
DISPOSITION: AI				WITHDRA			N/O	ACTION TAVEN				-/2-
	AMENDED		CO	RRECTED REFERRE	J		NO A	ACTION TAKEN				1 wil

## **JANUARY 18, 2022**

## RESOLUTION

BY:	PERSONNEL/HUMAN SERVICES COMMITTEE (1/18/2022)
WHEREAS,	Bay County Department on Aging would like to submit an application for grants to assist with purchasing a new stand-alone freezer (the old one is not able to be fixed), as well as another warmer for the pans of food for the Home Delivered Meals and Activity Center Meal programs; and
WHEREAS,	This will allow department to free up space for inventory in current walk in freezer and also oven space needed to prepare meals; and
WHEREAS,	The purchase of the equipment will not exceed \$10,000; and
WHEREAS,	The Department on Aging was recently notified by the Bay Area Community Foundation that the following grants were open for application: The HEMLOCK SEMICONDUCTOR Community and Regional Empowerment (CARE) Fund 2022 Grant Application which is due January 31, and the Bay Area Community Foundation Semi Annual Grant Application which is due March 14, 2022; and
WHEREAS,	At this time the cost to Bay County Department on Aging is unknown but there is money available in the Department's fund balance if needed; Therefore, Be It
RESOLVED	That the Bay County Board of Commissioners approves submittal of grant applications for up to \$10,000 through the HEMLOCK SEMICONDUCTOR Community and Regional Empowerment (CARE) Fund 2022 Grant and the Bay Area Community Foundation Semi Annual Grant to assist with purchasing needed stand-alone freezer and food warmer for the Kitchen; Be It Further
RESOLVED	That the Chairman of the Board is authorized to execute grant application and grant award documents, and related documents, on behalf of the Board following Corporation Counsel and the County's Finance Officer's review and approval; Be It Finally
RESOLVED	That related budget adjustments, if required, are approved.
	JAYME A. JOHNSON, CHAIR
	AND COMMITTEE
DOA - Grant	Applications - Freezer & Warmer

MOVED BY	
SUPPORTED BY	

COMMISSIONER	γ	N	E	COMMISSIONER	Υ	N	E	COMMISSIONER	Υ	N	E
MARIE FOX				KIM J. COONAN				JAYME A. JOHNSON			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK		<u> </u>	<u> </u>	KAYSEY L. RADTKE						<u> </u>	

VOTE ROLL CALL: YEAS VOICE: YEAS	NAYS EXCUSE NAYS EXCUS	
DISPOSITION: ADOPTED_	DEFEATED	WITHDRAWN
AMEND	DED CORRECTED	REFERRED NO ACTION TAKEN

#### **JANUARY 18, 2022**

#### RESOLUTION

BY:		
RES	OL	<b>VED</b>

PERSONNEL/HUMAN SERVICES (1/18/2022)

By the Bay County Board of Commissioners that concurrence is given to post/advertise/test/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies/new positions, monies for said positions to come from the respective departmental budgets:

#### A. VACANCIES (BUDGETED)

- 1 9-1-1 Central Dispatch: Dispatcher (full time; \$16.17/hr. entry)
- 2. Finance Department: Purchasing Agent (full time; \$21.23/hr. entry)
- 3. Sheriff Marine Patrol Program: 5 Supervisors (seasonal; \$12.00/hr.) 25 Marine Deputies (seasonal; \$11.00/hr)

#### **RESOLVED**

That authorization is granted to post/fill vacancies resulting from moves within a department whereby a Board approved vacancy was filled from staff within the department creating another vacancy in the same department, monies for said positions to come from the respective departmental budgets; Be It Further

**RESOLVED** 

That in the event individuals hired to fill approved vacancies prove to be unqualified or no longer want the position, the Personnel Director is authorized to post/fill the previously approved vacancy within a 60 day time period; Be It Further

**RESOLVED** 

That budget adjustments, if required, are approved; Be It Further

**RESOLVED** 

That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

JAYME A. JOHNSON, CHAIR

AND COMMITTEE

Vacancies - January											
MOVED BY COMM											
SUPPORTED BY COMM.			,		_						_
COMMISSIONER	Y	N	E	COMMISSIONER Y	′	N	E	COMMISSIONER	Y	N	E
MARIE FOX				KIM J. COONAN				JAYME A. JOHNSON			
ERNIE KRYGIER				THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE							
VOTE TOTALS:											
ROLL CALL: YEAS NAYS		EXCU	SED_								
VOICE: YEAS NAYS_		EXC	USED								
DISPOSITION: ADOPTED DEFE	ATED		_ wi	HDRAWN							
AMENDED COD	DECTE	:n	DEE	EDDED NO ACTION TAKE	M						

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## **JANUARY 18, 2022**

## RESOLUTION

BY: WHEREAS,	PERSONNEL/HUMAN SERVICES COMMITTEE (1/18/2022) Since 2020, the Bay County Health Department has deployed its staff in multiple efforts related to COVID 19 in Bay County (Disease Investigation, Immunizations, etc). Originally it was estimated that the majority of the work would occur within the 2020-2021 time period; and
WHEREAS,	Given the fact that the pandemic is still occurring and the current number of cases is several times the number that of what was experienced in the past six months, there is a continued need to deploy and assign personnel devoted to current mitigation and prevention efforts; and
WHEREAS,	The Board authorized in 2020 a temporary reorganization with an anticipated timeline of completion by the end of the fiscal year 2021. It is clear that the work needs to continue to meet the demands and necessities the county faces as the pandemic continues; and
WHEREAS,	No additional general funds are necessary as resources of current and future allocations and supplemental funds provided by the State of Michigan will be utilized; and
WHEREAS,	With the amount of existing state and other supplemental funding received, there are ample resources available to proceed with the current structure provided the availability of pandemic funding without any General Fund support; and
WHEREAS,	The Health Department is seeking re-authorization of the previously approved reorganization plan and that those positions that were authorized be extended as grant funds are available; Therefore, Be It
RESOLVED	That the Bay County Board of Commissioners authorizes continuation of the previously approved Health Department reorganization plan and extension of those positions previously authorized, contingent upon the availability of pandemic funding without any General Fund support; Be It Finally
RESOLVED	That related budget adjustments, if required, are approved.  JAYME A. JOHNSON, CHAIR  AND COMMITTEE

**Health Dept - Extension of Reorganization Plan** 

MOVED BYSUPPORTED BY											
COMMISSIONER	Υ	N	E	COMMISSIONER	Υ	N	E	COMMISSIONER	Y	N	E
MARIE FOX				KIM J. COONAN	ļ			JAYME A. JOHNSON			
ERNIE KRYGIER				THOMAS M. HEREK							_
VAUGHN J. BEGICK				KAYSEY L. RADTKE							

VOTE ROLL CALL: YEAS VOICE: YEAS	NAYS NAYS	EXCUSED EXCUSED		
DISPOSITION: ADOPTED_	DEFEATED		WITHDRAWN	
AMEND	ED CORREC	TED	REFERRED	NO ACTION TAKEN

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POSITION	DEPARTMENT	AVAILABLE FUNDING SOURCE(S)	CURRENT STATUS	RECOMMENDED COURSE OF ACTION	GENERAL FUND SUPPORT
Emergency Preparedness and Health Education Manager (FT, MB-10)	Emergency Preparedness	Public Health Emergency Preparedness Funds	Currently Filled	Redeploy as Public Health Services Manager (below)	ИО
Epidemiological Investigator (aka Contact Tracers; 3 PT, PN5)	Public Health Services (Epi/CD)	COVID-19 Grant Funds	Proposed Hire	Temporary Hire Through FY 2021	ЙО
Public Health Services Manager (FT, MB-12)	Public Health Services (Epi/CD)	Public Health Emergency Preparedness Funds	Proposed Redeployment	Continue Deployment In Epi/CD Through FY 2021	NO

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#### **BAY COUNTY BOARD OF COMMISSIONERS**

## **JANUARY 18, 2022**

## **RESOLUTION**

BY:	PERSONNEL/HUMAN SERVICES COMMITTEE (1/18/2022)
WHEREAS,	The Information Systems Division of the County provides information technology services and support to all Law Enforcement agencies within Bay County; and
WHEREAS,	The City of Pinconning Police Department would use a virtual private network to access the Law Enforcement network in a secure manner contingent on the State of Michigan Criminal Justice Information Services (CJIS) requirements. This access would link the agency to important law enforcement data under the County supervision; and
WHEREAS,	The cost per year for dedicated IT services including the use of the network with 24/7 support is \$500 pending approval from Pinconning Police. There are system checks, verification of information sent, and security monitoring done on the network link; and
WHEREAS,	The City of Pinconning will provide their own firewall/hardware appliance to connect to the Bay County Information Systems network; Therefore, Be It
RESOLVED	That the Bay County Board of Commissioners approves the Agreement with the City of Pinconning Police Department to network access into the Bay County Information Systems Law Enforcement network for services related to using a Virtual Private Network for use on computers at the City of Pinconning; Be It Further
RESOLVED	That the Chairman of the Board is authorized to execute said Agreement and related documents on behalf of Bay County following Corporation Counsel review and approval; Be It Finally
RESOLVED	That related budget adjustments, if required, are approved.
	JAYME A. JOHNSON, CHAIR AND COMMITTEE

INFORMATION SYSTEMS - PINCONNING POLICE DEPARTMENT NETWORK ACCESS

COMMISSIONER	Υ	N	Ε	COMMISSIONER	γ	N	E	COMMISSIONER	γ	N	Ε
MARIE FOX				KIM J. COONAN			ļ.,	NOZNHOL .A 3MYAL			_
ERNIE KRYGIER		<u> </u>		THOMAS M. HEREK							
VAUGHN J. BEGICK				KAYSEY L. RADTKE	<u> </u>	<u> </u>	<u> </u>			<u> </u>	

DISPOSITION: ADOPTED\_\_\_\_\_ DEFEATED \_\_\_\_\_\_ WITHDRAWN \_\_\_\_

AMENDED CORRECTED REFERRED\_\_\_\_\_ NO ACTION TAKEN \_\_\_\_\_

#### **MEMORANDUM**

To:

Tom Herek, Board Chair

From:

Amber Davis-Johnson, Corporation Counsel ApJ

Date:

January 14, 2022

Re:

Request for Opinion on Legality of Blanket Waiver of Food Service Establishment License

Fees in 2022

#### Background:

The Board has requested that Corporation Counsel look into the legality of the Board voting for a "blanket waiver" of Food Service Establishment License fees for the 2022 Calendar year. Upon review, it appears that the Board has the authority to waive only the **County** portion of any food service license fees assessed in the 2022 calendar year if it so chooses, but not the mandatory State license fee.

#### Discussion:

The Board of Commissioners approves a Fee Schedule every year as part of the Budget Approval Process. Included in the 2022 Budget that was recently passed was a fee schedule that included Food Service Establishment "License Fees" submitted by the Health Department. The fees set by the Health Department related to the issuance of a Food Service License are authorized by MCL 289.3119(1) and MCL 333.2444. Each Food Service License fee is comprised of two (2) parts: a mandatory State assessed "state license fee," and a permissive local health department assessed "service fee." The mandatory "state license fee" is a relatively small amount (anywhere between \$4 to \$39 in most cases), with the bulk of most Food Service License application charges being assessed for the service offered by the local health department for accepting and processing the application and inspecting the establishment. The statute that provides for such an assessment by the local health department reads as follows:

"A local health governing entity . . . may fix and require the payment of fees for services authorized or required to be performed by the local health department. The local governing entity . . . may revoke, increase or amend the fees. The fees shall not be more than the reasonable cost of performing the service."

MCL 333.2444 (bold emphasis added). I have attached a copy of fee schedule approved by the County Board of Commissions in late 2021 for the 2022 calendar year.

As noted in the statute, this Board has the authority to assess or NOT assess a <u>local fee</u> for the health department's provided services in relation to the Food Service Establishment License Application. The Board does not have the authority to waive the State License Fee. As such, the Board may approve a Motion to Amend the Bay County Fee Schedule to reduce the Food Service Establishment License Fees to the mandatory cost assessed by the State. The County would collect that mandatory State fee and forward the same on to the State. It would be an unlawful grant of credit for the County to "cover" that State cost for food service establishments out of the general fund.

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APPENDIX A

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## **2022 FEE SCHEDULE**

		<u>2021</u>	2022
VACCINE ADMIN FEE (secon	d or more)	21.00	21.00
Oral/Nasal Administration Fee		21.00	21.00
DT(Dip/Tet) Child up to 7 yrs.		35.00	35.00
DtaP		40.00	40.00
DtaP-IVP-HepB		95.00	95.00
Dtap-IVP (Kinrix)		90.00	90.00
Hepatitis A	Áðult	<b>85.0</b> 0	85.00
,	Child	55.00	55.00
Hepatitis B	Adult	75,00	75.00
	Child	40.00	40.00
Hepatitis A/B (Twinrix)		95.00	95.00
Hib	•	40.00	40.00
HPV		240.00	240.00
Trifficeriza		27. <u>08</u> .	27,00
Flu-High Dose over 65		31.00	31.00
Flu Mist		31.00	31.00
Garadasil 9 HPV-9		240.00	240.00
Medicare Flu - ADM Fee		21.00	21.00
Medicare Pneumonia - ADM I	Fee	21.00	21.00
Meningococcal B		205.00	205.00
Meningococcal MGV4	Meningitis-	150,00	150.00
MMR		90.00	90,00
MMRV		235.00	235.00
Pneumococcal Conjugate	PCV13	220.00	220.00
Pneumococcal PPV23		65.00	65,00
Polio-IVP		40.00	40.00
Prevnar		220.00	220.00
Rotavirus		95.00	95.00
Varicella (Chick Pox)		140.00	140.00
Shingrix (50 and older)		175.00	175.00
Τd		35.00	35.00
Tdap		50.00	50.00
Zostavax (Shingles)		200.00	200.00
LABORATORY			
		15.00	15.00
BLOOD DRAW		15.00 N/A	N/A
CHLAMYDIA			15.00
CHOLESTEROL SCREEN		15.00 15.00	15.00
GLUCOSE SCREEN		15.00 N/A	15.00 N/A
GONORRHEA CULTURE			N/A
GONORRHEA SMEAR		N/A	
HERPES SIMPLEX TYPE 2	TESTING	ÌŴĀ	NIA

# BAY COUNTY USER FEES 2021 and 2022

## **2022 FEE SCHEDULE**

ZUZZ FEL SCHEDULE		
	<u> 2021</u>	2022
HEMOGLOBIN	N/A	N/A
LEAD TESTING	20.00	20.00
PATERNITY	N/A	N/A
RPR	N/A	N/A
SERUM PREGNANCY	N/A	N/A
URINE PREGNANCY	16.00	16.00
WET PREPS	N/A	N/A
77 2.1 1 1 1 2.5		
POOL TESTING	23.00	23.00
E COLI TESTING	23.00	23.00
PLATE COUNT	12.00	12.00
WELL WATERS	23,00	23.00
YY balanka PT/ACDMIN		
LAB DRUG TESTING		
TO MALEL TEAT	N/A	N/A
5 PANEL TEST	N/A	N/A
ALCOHOL	N/A	N/A
CONFIRMATION	N/A	N/A
ECSTASY	(4// )	, ,,,
MEDICAL EXAMINER		
AUTOROV BEDORT	61.00	61,00
AUTOPSY REPORT	67.00	67.00
CREMATION PERMIT DISINTERMENT PERMIT	125.00	125.00
DISINTERMENT PERMIT	120104	
HIV-STD CLINIC		
Health Screening Office Cali	***	***
COURT ORDERED TESTING		
Office Visit for Male Testing	203.00	203.00
Office Visit for Female Testing	264.00	264.00
Jail Visit for Male Testing	264.00	264.00
Jell Vielt for Fomale Testing	323.00	323.00
DNA Blood Draw & Testing	111.00	111.00
Diff. Since Bigg. to 100mil		

NOTE: Per Board Resolution 2010-21 all charges are based on cost plus 10% or the highest allowable reimbursement rate

## **2022 FEE SCHEDULE**

	ZUZZ FLL SCHLDOLL	0004	0000
		<u>2021</u>	<u>2022</u>
<b>ENVIRONMENTAL HEALTH FI</b>	ES		
General Fees			
Administration Fee		38.00	38.00
Consultation/Inspection Fee (VA	RIOUS PROGRAMS)	185.00	. 185,00
SEPTIC & WELL EXTENSIONS		40.00	40.00
Enforcement Policy, Office			
Conference, Informal Hearing			
and Formal Hearing Fee		153.00	153.00
General Food Safety Class/Per		45.00	45.00
Person		15.00	15.00
	•		,
FOOD SERVICE LICENSE:			
Type 1: Bar, with no food prep or pre-packaged fow-hazard			
food		305.00	305.00
Type 2: Bar, with limited food			
prep, Kitchen Facilities and			
menu with 10 items or less,			
Fast Food with limited food		400.00	420.00
preparation		430,00	430.00
Type 3: Table Service & Bar			
with Food Proposation and Full			
Kitchen Facilities		410.00	410.00
0 - 50 Occupancy		455.00	455.00
51 - 100 Occupancy		455.00 510.00	510.00
101 - 150 Occupancy		610.00	610.00
151+ Occupancy		010,00	010.00
Fixed Establishment All Occupa	ancy Not for Profit	240.00	240.00
	Up to 30 days After License Deadline		
LATE FEE	30 Days + Past Deadline		
ALLENGE OF OUR PEDOUID	30 Days * Fast Deadine	300,00	300.00
CHANGE OF OWNERSHIP		000,00	
Consultation/Inspection Fee (V	ARIOUS PROGRAMS)	184.00	184.00
Ooliogianoi miopocioi i ao (i	,		
Enforcement Policy, Office			
Conference, informal Hearing			4 ED 00
and Formal Hearing Fee		150.00	150.00
		,	,
FOLLOW UP INSPECTIONS	*		
BEYOND 1st FOLLOW UP			
ALL CORE, PRIORITY			
FOUNDATION AND		77 C. A. A.	77.00
PRIORITY VIOLATICALS		75.00	<u>75.00</u>

Fee if remodeling/construction is started before plans have been submitted and approved

WATER/SEWAGE PROGRAMS

BAY COUNTY USER FEES			APPENDIX A			
2021 and 2022						
2022 FEE SCHEDULE						
		<u> 2021</u>	<u> 2022</u>			
CAMPGROUND & SWIMN	MING POOL INSPECTION:	<b>230.00</b>	230.00			
	OF APPEALS HEARING FEE	150.00	150.00			
DHS FACILITY INSPECTI		•				
SEWAGE AND/OR WATE Partial inspection (Water	:R					
supply and sewage dispos	al		00100			
-Duly)		234.00	234.00			
General Sanatation and S.	afety Only	234.00 300,00	234.00 300.00			
Full inspection		00.00	300.00			
SEWAGE AND WELL	Plan Review	255.00	255.00			
SEWAGE AND WELL						
		000.00	220.00			
SITE EVALUATION FEE		230.00	230.00			
	OCAL DEDMIT	306.00	306.00			
ON SITE SEWAGE DISP	OSAL PERIOR.					
			222.22			
SEPTIC TANK REPLACEMENT:		230,00	230.00 102.00			
MODIFICATION TO PER	MIT/GRADE MARK	102.00	102.00			
SEWAGE INSTALLER IN	ISTALLATION FEE	52.00	52.00			
SEWAGE INGTALLER IN	(C) ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( (					
TYPE II WATER SUPPLY SAMPLING:		104.00	104.00			
TYPE II WATER SUPPLY	Y FOLLOW-UP SAMPLING:	104.00	104.00			
	Type III & private	306.00	306.00			
WELL PERMITS:	Type I & Type II	610.00	610.00			
	Follow-up sampling	† <del>04.00</del>	+04.00			
	, <del>-</del>					
LOAN EVALUATION:		004.00	234.00			
Sewage or Private Water		234.00 364.00	364.00			
Sewage & Private Water	Supply Evaluation	304.00	004.00			
Fee if construction is star	rted before permit is issued					
ORDINANCE ENFORCE	EMENT					
Ordinance #51						
Bay County Pawn Broke	212.00	212.00				
Payable Annually						
Ordinance #52						
Secondhand Dealer Lice	212.00	212.00				

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BAY COUNTY USER FEES 2021 and 2022			APPENDIX A 7	
	2022 FEE SCHEDULE	<u> 2021</u>	<u>2022</u>	
Payable Annually				
Scrap Dealer License Payable Annually	•	212.00	212.00	
TATTOO-BODY ART PROGRAM				
Plan Review		212.00	212.00	
Radon Test Kits		10.00	10.00	